

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MARIE C. SHAY,

Plaintiff,

V.

BOSTON HOUSING AUTHORITY and  
HELENE C. MAICHLE, BHA Senior  
Attorney,

Defendants.

CIVIL ACTION

NO. 20-12204-WGY

YOUNG, D.J.

January 12, 2021

## ORDER

Now before the Court is plaintiff's motion seeking clarification and an extension of time to respond to the Court's show cause order.

On January 4, 2021, this Court issued a Memorandum and Order (Docket No. 4) advising plaintiff that this action will be dismissed unless plaintiff files an amended complaint which cures the pleading deficiencies of the original complaint and sets forth a plausible claim upon which relief may be granted. The Order explained that plaintiff's complaint fails to allege any facts that could support a claim against the defendants. Although plaintiff alleges that the BHA refused to comply with an order to immediately provide an apartment, the complaint fails to allege facts to support the conclusion that the defendants' conduct was discriminatory, or motivated by discrimination as required to maintain a Fair Housing Act discrimination claim under 42 U.S.C. § 3604. To the extent the complaint names Attorney Maichle as a defendant, it appears that she

is named as a defendant simply because she is an attorney for the Boston Housing Authority.

Plaintiff's complaint failed to allege sufficient facts to state a claim against any of the named defendants. To establish a violation of the Fair Housing Act, a plaintiff must show that the challenged actions were either motivated by discriminatory intent or that their actions have a disparate impact based on race. Macone v. Town of Wakefield, 277 F.3d 1, 5 (1st Cir. 2002). Plaintiff was granted twenty-one days to file an amended complaint that sets forth a plausible claim upon which relief may be granted.

Now plaintiff seeks clarification as well an extension of time. Plaintiff states that she is trying to retain an attorney. This Court finds good cause has been shown for an extension of time.

Accordingly, the Court hereby ORDERS:

1. Plaintiff's Motion (Docket No. 5) is ALLOWED.
2. Plaintiff shall have until February 12, 2021 to file an amended complaint. If plaintiff is unable to retain an attorney, she must file an amended complaint. No further enlargement of time will be permitted, and failure to comply with the Court's directives may result in dismissal of this action.

**SO ORDERED.**

/s/ William G. Young  
WILLIAM G. YOUNG  
UNITED STATES DISTRICT JUDGE